

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

ROBERT MENENDEZ, *et al.*,

Defendants.

Criminal Action No. 23-490 (SHS)

**[PROPOSED] ORDER GRANTING  
DEFENDANT'S OMNIBUS PRETRIAL  
MOTIONS**

**THIS MATTER** having come before the Court upon the omnibus pretrial motions of Defendant Wael Hana, by Gibbons P.C. (Lawrence S. Lustberg, Esq., appearing), and the Court having considered the submissions of the parties and the arguments of counsel, and for good cause shown:

**IT IS** on this \_\_\_\_\_ day of \_\_\_\_\_ 2024,

**ORDERED** that Defendant's Omnibus Pretrial Motions shall be and are hereby **GRANTED**; and it is further

**ORDERED** that Counts 1, 2, and 4 of the Second Superseding Indictment (ECF No. 115) are hereby **DISMISSED**; or, in the alternative, is it hereby

**ORDERED** that Paragraph 15 is **STRICKEN FROM THE INDICTMENT**; and it is further

**ORDERED** that a bill of particulars shall be and is hereby **GRANTED**; and it is further

**ORDERED** that evidence seized pursuant to search warrants [REDACTED]  
[REDACTED] issued to Wael Hana's electronic accounts is **SUPPRESSED AND  
EXCLUDED FROM EVIDENCE** ; and it is further

**ORDERED** that the a *Franks* hearing shall be held, on a date to be set by the Court, with regard to whether evidence obtained as a result of search warrants [REDACTED] [REDACTED] should be suppressed.

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Honorable Sidney H. Stein  
United States District Judge